

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

CHAD GELLNER, MATTHEW RUFO, and  
MELVYN KLEIN, Derivatively On Behalf Of  
TILRAY, INC.,

Plaintiffs,

v.

BRENDAN KENNEDY, MICHAEL  
AUERBACH, REBEKAH DOPP, MARYSCOTT  
GREENWOOD, CHRISTINE ST. CLARE, AND  
MARK CASTANEDA,

Defendants,

TILRAY, INC.,

Nominal Defendant.

Case No.: 20-cv-01768

**NOTICE OF  
VOLUNTARY DISMISSAL**

**FILED  
CLERK**

6/17/2020 8:43 am

**U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

Pursuant to Fed. R. Civ. P. 41, Plaintiffs Chad Gellner, Matthew Rufo and Melvyn Klein ("Plaintiffs"), by and through Plaintiffs' undersigned counsel, hereby give notice that the above-captioned action is voluntarily dismissed, without prejudice against the Defendants.

Voluntary dismissal is appropriate under Fed. R. Civ. P. 41(a)(1) given that Defendants have not answered the Complaint nor filed a motion for summary judgment.

Notice of this voluntary dismissal is not required under Fed. R. Civ. P. 23.1(c) because neither Plaintiffs nor Plaintiffs' counsel have received or will receive any compensation whatsoever for this dismissal.

Dated: June 16, 2020

GAINEY McKENNA & EGLESTON

By: /s/ Thomas J. McKenna

Thomas J. McKenna

Gregory M. Egleston

501 Fifth Avenue, 19th Floor

New York, NY 10017

Telephone: (212) 983-1300

Facsimile: (212) 983-0383

Email: [tjmckenna@gme-law.com](mailto:tjmckenna@gme-law.com)

Email: [gegleston@gme-law.com](mailto:gegleston@gme-law.com)

*Attorneys for Plaintiffs*

The Clerk of Court is directed to close this case.

SO ORDERED this 17th day of June 2020 at Central Islip, New York.

/s/ Sandra J. Feuerstein  
U.S. District Judge